

HOLLAND & HART LLP  
5441 KIETZKE LANE  
SECOND FLOOR  
RENO, NV 89511

1 Robert C. Ryan (7164)  
2 HOLLAND & HART LLP  
3 5441 Kietzke Lane, Second Floor  
4 Reno, NV 89511  
5 Phone: (775) 327-3000  
6 Fax: (775) 786-6179  
7 rcryan@hollandhart.com

8 Ryan A. Loosvelt (8550)  
9 HOLLAND & HART LLP  
10 9555 Hillwood Drive, Second Floor  
11 Las Vegas, NV 89134  
12 Phone: (702) 669-4600  
13 Fax: (702) 669-4650  
14 raloosvelt@hollandhart.com

15 Christopher B. Hadley  
16 (Admitted *pro hac vice*)  
17 HOLLAND & HART LLP  
18 222 South Main St., Suite 2200  
19 Salt Lake City, UT 84101  
20 Phone: (801) 799-5873  
21 Fax: (801) 618-4238  
22 cbhadley@hollandhart.com

23 *Attorneys for PTT, LLC d/b/a High 5 Games*

24  
25 **UNITED STATES DISTRICT COURT**  
26 **DISTRICT OF NEVADA**

27 KONAMI GAMING, INC., a Nevada  
28 corporation,

Plaintiff,

v.

PTT, LLC d/b/a HIGH 5 GAMES, a  
Delaware limited liability company,

Defendant.

Case No.: 2:14-cv-01483-RFB-NJK

**STIPULATION TO STAY DISCOVERY  
AND CLAIM CONSTRUCTION  
DEADLINES**

COMES NOW the above-named parties, by and through their counsel of record, and jointly stipulate to stay discovery and pending claim construction deadlines for sixty (60) days to provide the parties additional time to analyze the technology at issue.

This is a complex patent case involving Plaintiff's allegations of infringement of four patents. The Plaintiff has asserted a total of 64 claims against 63 of defendant High 5's games.

1 The parties have exchanged initial contentions in accordance with the Joint Discovery Plan and  
2 Scheduling Order set forth in this case. (Dkt. No. 32). During the contention exchange period,  
3 plaintiff Konami served Initial Infringement Contentions (44 pages with claim charts), followed  
4 by High 5's Initial Non-Infringement, Invalidity and Unenforceability contentions (489 pages  
5 with claim charts), and finally, Konami served its Response to High 5's contentions (834 pages  
6 with claim charts).  
7

8 It is clear from the parties' contentions that the parties are in stark disagreement over the  
9 nature and operation of the accused technology. The parties therefore seek to stay this case for  
10 sixty days in order to exchange further information about the accused technology, and to permit  
11 the parties technical representatives to meet and discuss the technology, with the intention of  
12 potentially reducing the issues and complexities in this dispute.  
13

14 During this litigation, the parties have granted each other extensions to various exchanges  
15 due to the growing complexity of the case, scheduling issues, change of lead counsel for Plaintiff  
16 Konami, and work on other matters. For instance, the parties stipulated to delay the exchange of  
17 proposed terms for construction, due on August 26, 2015, and written discovery responses due  
18 on September 14, 2015. Here, the parties request a sixty (60) day stay of discovery and the claim  
19 construction related deadlines in order to further analyze the accused products, including High 5  
20 producing additional source code, and related documents, to the extent they exist, for the accused  
21 games followed by a meeting or series of meetings involving a High 5 technical representative,  
22 Konami's technical expert, as well as counsel for the parties to explain and discuss High 5's  
23 gaming products, as well as the related source code, and how it operates. The parties believe the  
24 stay and the technical representative discussions should enhance both parties' understanding of  
25 the accused products and each parties' contentions in an effort to narrow and possibly resolve  
26 this dispute or substantial parts of it.  
27  
28

The parties therefore jointly stipulate to stay discovery and the claim construction deadlines up to and including November 13, 2015. Following the stay, and if necessary, the parties will re-engage in discovery and the exchange of claim construction related terms and definitions, and will provide the Court a modified proposed discovery plan and scheduling order for approval.

WHEREFORE, the parties respectfully stipulate and move that the Court should enter an Order amending the Discovery Plan and Scheduling Order in this action, staying discovery and the time for compliance with the claim construction deadlines, through and including November 13, 2015.

DATED this 14th day of September, 2015

HOWARD & HOWARD ATTORNEYS  
PLLC

By /s/ Patrick M. McCarthy

Robert Hernquist (Nevada Bar No. 10616)  
Wells Fargo Tower, Suite 1000  
3800 Howard Hughes Parkway  
Las Vegas, Nevada 89169-5980  
RHernquist@HowardandHoward.com

Patrick M. McCarthy (Michigan Bar No. P49100) (admitted pro hac vice)  
2950 South State Street, Suite 360  
Ann Arbor, Michigan 48104-1475  
Pmccarthy@HowardandHoward.com

Kristopher K. Hulliberger (Michigan Bar No. P66903) (admitted pro hac vice)  
450 West Fourth Street  
Royal Oak, Michigan 48067-2557  
kkh@h2law.com

*Attorneys for Plaintiff*

HOLLAND & HART LLP

By /s/ Robert C. Ryan

Robert C. Ryan, Esq.  
5441 Kietzke Lane, Second Floor  
Reno, NV 89511  
rcryan@hollandhart.com

Ryan A. Loosvelt, Esq.  
9555 Hillwood Drive, Second Floor  
Las Vegas, NV 89134  
RALoosvelt@hollandhart.com

Christopher B. Hadley, Esq.  
(Admitted pro hac vice)  
222 South Main St., Suite 2200  
Salt Lake City, UT 84101  
cbhadley@hollandhart.com

*Attorneys for Defendant*

The parties must file, no later than September 22, 2015, an amended joint discovery plan containing the deadlines granted in this order.  
Dated: September 18, 2015

**So Ordered:**

  
**NANCY J. KOPPE**  
United States Magistrate Judge

HOLLAND & HART LLP  
5441 KIETZKE LANE  
SECOND FLOOR  
RENO, NV 89511